

15 MISC 00131

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: :
CIVIL CASE OPENING :
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STANDING
ORDER
M10-468

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

The District Court's Electronic Case Filing (ECF) system having been modified to allow new civil actions to be filed electronically by attorneys admitted to the bar of this Court who are registered Filing Users of the CM/ECF system and attorneys seeking admission *pro hac vice*, unless otherwise ordered by the Court it is hereby

ORDERED, effective June 8, 2015, attorneys seeking to commence a new civil action must do so electronically through the ECF system.

All documents required to open the action shall be filed electronically in PDF-A format. Summons shall be requested through the ECF system. In response, the Clerk will issue summonses suitable for printing through the ECF system. Any required fee shall be paid on-line with a credit card during the case opening process. Filing parties should consult the assigned judge's Individual Practices to determine if courtesy copies are required.

Pro hac vice applicants will receive a temporary ECF account enabling the electronic filing of the case initiating documents and a Motion for Admission *Pro Hac Vice*.

The following cases may not be commenced on-line through the ECF system and must be filed in the traditional manner, on paper:

- New civil actions that include an Order to Show Cause, Temporary Restraining Order, or documents sought to be filed under seal;
- New civil actions commenced by a *pro se* party;

- *Habeas corpus* cases filed pursuant to 28 U.S.C. §2255 (prisoner in Federal custody);
- False Claims Act cases (*Qui Tam* or “whistleblower” cases) filed pursuant to 31 U.S.C. §3729 *et seq.*;

New civil actions filed electronically that contain the following deficiencies may be administratively closed without prejudice, and summonses may not be issued unless the deficiency is corrected within five (5) calendar days of electronic transmission by the Clerk of a Notice of Deficient Filing:

- The case initiating document contains the wrong document, an illegible or unreadable document, or no document; or
- The filing fee due was not paid, either in whole or in part.

Where a case is administratively closed, a filing party may move to reopen the case after any such deficiency is cured.

Any party unable to comply with the requirement for electronically commencing a new civil action through the ECF system must seek permission of the Court to file in the traditional manner, on paper. Any such application made after regular business hours may be submitted through the night depository box maintained pursuant to Local Civil Rule 1.1.

Further guidance can be found in the Court’s Electronic Case Filing Rules & Instructions available at www.nysd.uscourts.gov/ecf.

SO ORDERED:

Dated: May 11 , 2015
New York, NY



Loretta A. Preska
Chief United States District Judge